IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

FRIDAY, THE 5TH OCTOBER 2007 / 13TH ASWINA 1929

WP(C).No. 22243 of 2007(W)

PETITIONER:
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1. P.T.JOSEPH, PALATHOTTATHIL HOUSE, PANATHADY VILLAGE, P.O.BALANTHODU, HOSDURG.

2. ELSAMMA, W/O.P.T.JOSEPH, PLANTHOTTATHIL HOUSE, PANATHADY VILLAGE, P.O.BALANTHODU, HOSDURG.

BY ADV. SRI.M.SANTHOSHKUMAR

RESPONDENTS:
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1. THE JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES, KASARAGOD.

2. THE HOSDURG HOUSING CO-OPERATIVE SOCIETY LTD.NO.F.F.14, P.O.HOSDURG, KANHANGAD, REPRESENTED BY ITS SECRETARY.

BY ADV. SRI.T.K.VIPINDAS FOR R2
GOVT. PLEADER SRI.P.K.RAVIKRISHNAN FOR R1

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 05/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1 TRUE COPY OF THE JUDGMENT IN W.P.C.NO.8582/07

EXT.P2 TRUE COPY OF THE LETTER DTD. 15-5-07.

/True Copy/

PA to Judge.

K.M.JOSEPH, J.

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W.P.(c).No.22243 OF 2007

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Dated this the 5th day of October, 2007

JUDGMENT

Petitioners availed a loan which is not repaid. Petitioners approached this court seeking one time settlement and a direction to keep in abeyance the execution of the award in ARC 14/2000. The common case is that the respondent-Bank purchased the property in auction and sale is confirmed. However, learned counsel for the Bank submits that the Bank is prepared to re-convey the property upon the petitioners remitting the entire amount due with interest and also the value of the stamp paid by the Bank and also meet the expense in connection with the sale of the property. In such circumstances, recording the submission of the learned counsel for the Bank, the writ petition is disposed of as follows:

Respondent-Bank will serve a statement on the petitioners within ten days from today showing the entire amount payable by the petitioners. If the petitioners remit the said amount within a period of one month from the date of communication of the

amount to be paid by the petitioners and also meeting the entire expense for re-conveyance, the second respondent will re-convey the property within a period of one month from the date of receipt of the entire amount.

(K.M.JOSEPH, JUDGE)

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